

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**October 15, 2013**

**Riverton City Hall**  
**12830 South 1700 West**  
**Riverton, Utah 84065**

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**Attendance:**

Mayor William R. Applegarth

**Council Members:**

Council Member Brent Johnson  
Council Member Al Leavitt  
Council Member Sheldon Stewart  
Council Member Tracy Thaxton  
Council Member Roy Tingey

**City Staff:**

Jeff Hawker, Asst. City Manager  
Ryan Carter, City Attorney  
Virginia Loader, Recorder  
Trace Robinson, Public Works Director  
Jason Lethbridge, Planning Manager  
Sheril Garn, Parks & Recreation Director  
Rod Norton, UPD Chief  
Erik Sandstrom, UFA Asst. Chief

**Citizens:** Michael Johnson, Wyoma Darlington, Boy Scout Troop 1751, Norma Bench, Paul Wayman, Merilee Booren, Shawnda Bishop, Sondra Timothy, Keith Grundmann, Barbara Grundmann, Travis Madsen, Tyler Madsen

**1. GENERAL BUSINESS**

**Call to Order and Roll Call** - Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson, Leavitt, Stewart, Thaxton and Tingey were present.

**Pledge of Allegiance** – A Boy Scout from Troop 1751 directed the Pledge of Allegiance.

**Presentations/Reports**

**Recognition of Boy Scout Troops** – A Boy Scout from Troop 1751 introduced members and leaders of his Boy Scout Troop.

**Utah Local Governments Trust (ULGT)**

6:36:17 PM Greg Baumgartner, (ULGT), presented the Mayor and City Council a 2013 dividend payment in the sum of \$27,305.81 and explained that the dividend was made possible because of Riverton City's outstanding performance in their liability program.

### **International Days**

6:38:57 PM Shawnda Bishop and Robert Brotherson, International Days Board of Directors, extended an official thank you to the City of Riverton for hosting the International Days Country Spotlight night and presented a framed collage of pictures from that event.

### **Jordan School District Bond Issue for November Ballot**

6:42:44 PM Sandra Reisgraf, Jordan School District, presented information regarding Jordan School District's Special Bond Election to be held November 5, 2013. She explained the proposed Issuance and Sale of General Obligation School Building Bonds of the Board in the amount of \$495 million dollars was to address challenges they are facing with the growth of the School District.

6:55:43 PM Supt. Patrice Johnson addressed the City Council, introduced staff and members of the Jordan School District Board and requested the City Council's support of the School Buildings Bond.

7:11:30 PM Council Member Roy Tingey recommended that the School District give their input regarding new development that occur within the City and how it affects them.

### **Public Comments**

7:13:41 PM Mayor Applegarth explained the public comment procedure and welcomed public comments.

7:14:02 PM **Representative Dan McCay** spoke of legislative issues regarding the State's funding of National Parks during the recent federal government shutdown, state employment funding for capital growth in the state and incentive programs for employers.

7:32:08 PM **Sonya Timothy** spoke of her desire for quality of education rather than quality of facilities and spoke in opposition to the proposed School District bond and said that financial irresponsibility was not what she wanted for her children.

There were no further comments and Mayor Applegarth closed the Public Comment period.

## **2. STAFF REPORTS**

7:36:45 PM **Jeff Hawker, City Manager**, called for Staff Reports.

7:36:59 PM Chief Rod Norton said that the ground breaking for the new police building would be around the first part of December 2013. He said the building was part of the City's bond but will be paid by the Salt Lake Valley Law Enforcement Service Area's (SLVLESA) operational costs.

### **Safety Training**

Ryan Carter, City Attorney, reported that the Utah Local Government's Trust (ULGT) held a fall

conference and he was a presenter wherein he presented information regarding the change in the culture of Riverton City, which has now become a safety culture. He said the ULGT applauds Riverton City for reporting to the Council at each Council Meeting on safety issues and they noticed that the City's claims were extremely low. Riverton City is recognized as a role model in the ULGT and other members of the insurance community and they have invited Mr. Carter to be a member of their Safety Advisory Committee.

7:44:12 PM Mayor Applegarth commended Mr. Carter and said that Council Member Roy Tingey has also helped the move in the culture to a highly significant safety culture, as well as Council Member Brent Johnson who is a professional safety manager. He then commended the team work that has been accomplished.

### **3. PUBLIC HEARINGS**

**Public Hearing – proposed rezone for property located at 2284 West 12600 South from C-PO (Commercial Professional Office) to C-G (Commercial Gateway); Barbara Grundmann, Applicant**

7:46:03 PM Jason Lethbridge, Planning Manager, explained that Barbara Grundmann of American Under Car Properties submitted an application requesting that property located at 2284 West 12600 South be rezoned from C-PO (Commercial Professional Office) to C-G (Commercial Gateway). He said the property is currently vacant; to the north of the subject property is the Country View Condominium Development, which is zoned RM-8 (Residential multi-family 8 units per acre); to the east property is zoned C-D (Commercial Downtown) and is currently occupied by a mortuary/funeral home; to the west property is zoned RR-22 (Rural Residential ½ acre lots) and is occupied by a residential structure and property on the south side of 12600 South is zoned C-PO and R-4 (Residential ¼ acre lots).

Mr. Lethbridge said the applicant requested that 1.11 acres be rezoned in order to accommodate a proposed automobile repair and maintenance business. The C-PO Zone does not allow such uses to occur; however, the C-G Zone was recently amended to allow automobile repair and related services to occur as a Conditional Use Permit.

Mr. Lethbridge said that on September 12, 2013, the Planning Commission voted to recommend approval of the rezone application and Staff concurs with that recommendation.

7:48:23 PM Mayor Applegarth opened a Public Hearing and called for public comments.

7:49:55 PM The property owner addressed brief questions from the Council.

There were no comments and Mayor Applegarth declared the Public Hearing closed.

**Ordinance No. 13-19 – Rezoning 1.11 Acres located at 2284 West 12600 South from C-P (Commercial Professional Office) to C-G (Commercial Gateway), Barbara Grundmann of American Under Car Properties, Applicant**

7:51:56 PM Council Member Brent Johnson **MOVED** the Riverton City Council adopt **Ordinance No. 13-19** – Rezoning 1.11 Acres located at 2284 West 12600 South from C- PO)

**Commercial Professional Office) to C-G (Commercial Gateway).** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

**Public Hearing – proposed rezone for 6.8 acres located at 13265 S Lover's Lane R-1 (Residential 1 acre lots) to RR-22 (Rural Residential 1/2 acre lots); Brant Tuttle, Northern Engineering, Applicant**

7:53:09 PM Jason Lethbridge, Planning Manager, explained that Brant Tuttle of Northern Engineering submitted an application requesting that 6 acres located at 13265 South Lovers Lane be rezoned from R-1 (Residential 1 acre lots) to RR-22 (Rural Residential ½ acre lots). The property currently has two zoning districts; the northwest corner of the parcel is currently zoned RR-22 while the majority of remainder of the property is zoned R-1; property to the north is currently zoned both RR-22 and R-1; to the east and south property is zoned R-1, and to the west property is zoned both R-1 and RR-22.

Mr. Lethbridge said that the main differences between the R-1 and RR-22 Zones being considered are lot size minimums. The R-1 Zone requires a minimum lot size of one (1) acre or 43,560 square feet; the RR-22 Zone requires a minimum lot size of ½ acre or 21,780 square feet. He said all land uses permitted in the R-1 Zone are also permitted in the RR-22 Zone, including the ownership of large animals.

Mr. Lethbridge explained that Riverton City's General Plan designates the entire proposed area as Estate Density Residential, which requires ½ acre lots or larger. Both the R-1 and RR-22 Zones comply with the designation and the requested rezone does comply with the City's recently approved General Plan.

Mr. Lethbridge said that on September 26, 2013, the Planning Commission voted to recommend approval of the rezone application.

7:58:16 PM Mayor Applegarth opened a Public Hearing and called for public comments.

7:58:23 PM Brant Tuttle, representing the Dillman's, addressed brief questions from the Council.

There were no comments and Mayor Applegarth declared the Public Hearing closed.

**Ordinance No. 13-20 – Rezoning 6 Acres located at 13265 South Lovers Lane from R-1 (Residential 1 Acre Lots) to RR-22 (Rural Residential ½ Acre Lots), Brant Tuttle of Northern Engineering, Applicant**

7:59:29 PM Council Member Sheldon Stewart **MOVED** the Riverton City Council adopt **Ordinance No. 13-20**, rezoning property located at 13265 S Lovers Lane from R-1 (Residential 1 acre lots) to RR-22 (Rural Residential ½ acre lots). Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

#### **4. DISCUSSION/ACTION ITEMS**

##### **Multi-Family Site Plan, Saddlebrook, 2080 – 2082 West 12600 South, RM-8-D Zone, Holmes Homes, Applicant**

8:00:21 PM Jason Lethbridge, Planning Manager, explained that Holmes Homes submitted an application requesting Multi-Family Site Plan and Subdivision Plat approval for Saddlebrook, detached single-family cluster style residential development to be located at 2080 and 2082 West 12600 South. He said the property is zoned RM-8-D (Residential multi-family 8 units per acre Downtown) and is currently vacant land; to the north property is zoned R-4 (Residential 10,000 square foot lots) and is utilized as single-family residential; to the south property is zoned C-D (Commercial Downtown) and properties are occupied by various commercial and office uses; to the east property is also zoned C-D. However, some properties to the west are zoned RR-22 (Rural Residential ½ acre lots) but are non-conforming as to lot size minimums.

Mr. Lethbridge said that Holmes Homes has proposed subdividing 7.13 acres into 46 detached single-family residential units and common open space. A 56 foot wide public roadway would be constructed through the center of the property connecting 2200 West to 12600 South immediately north of the Park Avenue intersection with 12600 South. Units will be clustered with 4 to 6 units accessing privately shared driveways that access Kimber Lane.

Mr. Lethbridge said that on September 26, 2013, the Planning Commission voted to recommend approval of the Multi-Family Site Plan application with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Language needs to be included on the subdivision that indicates all houses along the northern property line shall be single-story rambler style units.
5. The park strip along 2200 West and Kimber Lane shall be maintained by the HOA.
6. All building elevations shall comply with the ordinance requirement that a minimum of 25% of the exterior shall be brick or stone.
7. Primary building exterior material shall be stone, brick or stucco. Hardi-board fiber cement siding is permitted in the zone but shall be an accent material only.
8. Rhino Rock Concrete Fencing may be placed along the north side of the property as deemed acceptable as well as construction of a six-foot vinyl fence along the east side of the property line.

8:03:37 PM Discussion was held regarding RM-8 fencing requirements, specifically Planning Commission's Condition No. 8 requiring Rhino Rock Concrete Fencing may be placed along the

north side of the property as deemed acceptable as well as construction of a six-foot vinyl fence along the east side of the property line.

8:06:06 PM Mayor Applegarth asked why concrete fencing was allowed between different zone uses and Mr. Lethbridge explained that it was used for esthetics and for buffering purposes.

Mayor Applegarth then asked for clarification from Trace Robinson; "For the record do we anticipate putting a signal in at this new road that is across from Park Avenue on 12600." Mr. Robinson said yes that three years ago a signal was designed and funded, but at that time UDOT said it did not meet the warrants. However, because it is a UDOT signal, he said that once there is enough traffic at that location UDOT would conduct another feasibility study and it would be constructed by UDOT. Mayor Applegarth expressed his concern that the people buying in that development are not going to know that is going to turn into a major road. In response to Mayor Applegarth, Mr. Carter said that legally a sign could be posted at that corner that states that in the future that location would become a signalized intersection.

Mayor Applegarth then expressed his concern with RhinoRock fences and said the fence that was installed at the PDM Park was not durable and he did not want the City to lower their fencing standards rather than using solid masonry fences. Mr. Robinson responded and said that he believed the issue with the PDM Park fencing was due to the installation rather than the product.

8:13:18 PM Discussion ensued regarding fencing and traffic issues.

8:17:03 PM Chris Leavitt, Holmes Homes Developer, commended staff for their cooperation and he said that they have been working with UDOT on the proposed intersection he then made a presentation regarding their development project. The project engineer gave an overview of the intersection.

8:20:37 PM Brian Morrow, President, explained the Rhino Rock company and their product He then addressed questions from Council Members.

8:38:28 PM **John Spence**, adjacent property owner, said his property backs up to proposed development and he said it was an ideal situation for their neighborhood and he said he preferred Rhino Rock fencing.

8:42:08 PM Council Member Brent Johnson **MOVED the Riverton City Council approve Application Number PL#13-8006, Saddlebrook Subdivision, located at 2080 and 2082 West 12600 South with the conditions outlined in the Staff Report.** Council Member Tracy Thaxton **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; Councilman Leavitt said to include the final condition in the Planning Commission Minutes of September 26, 2013, regarding the Rhino Rock fence and the vinyl fence. Council Member Johnson **AMENDED his motion to include Condition No. 8 of the Planning Commission Report with the recommendation of the Rhino Rock concrete fencing and the vinyl fence.** Council Members Tingey and Stewart spoke against the vinyl fencing option.

Council Member Sheldon Stewart made a **Substitute Motion to approve Application Number PL#13-8006, Saddlebrook Subdivision, located at 2080 and 2082 West 12600 South with the**

**conditions outlined in the Staff Report but requiring Rhino fencing around the perimeter in the areas that were specified with vinyl.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

8:46:28 PM Mayor Applegarth suggested that Staff review current fencing requirements and return to the Council with an amended ordinance so that fencing requirements do not need to be addressed separately with each developer.

## **5. CONSENT AGENDA**

8:48:04 PM Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 10-01-13
2. **Bond Releases:**
  1. Country Life Care Center – 100%
3. **Resolution No. 13-51** – Appointing Poll Workers to serve in the 2013 Municipal General Election
4. ***Removed for discussion below***
5. **Resolution No. 13-53** - Expressing support for preservation of the Federal Tax Exemption on Municipal Bond Interest Income

8:48:31 PM Council Member Roy Tingey removed Item 5.4 from the Consent Agenda to be discussed separately.

8:48:47 PM Council Member Roy Tingey **MOVED to approve the Consent Agenda Items 1, 2, 3, and 5.** Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

8:49:34 PM **Item 5.4 Resolution No. 13-52 – Authorizing the adoption of an amended and restated Interlocal Agreement adding new member agencies to the Salt Lake Valley Emergency Communications Center (VECC)**

Ryan Carter, City Attorney, explained the Lease Agreement and Purchase Option between Riverton City and Salt Lake Valley Emergency Communications Center (VECC) and said he was generally supportive of every single provision of the agreement. Mr. Carter gave an update of VECC operations and explained that years ago, Riverton and several cities in Salt Lake County entered into an Interlocal Agreement to create an emergency telephone call receiving and dispatch center known as the Salt Lake Valley Emergency Communications Center which is known as VECC. The interlocal agreement allows additional governmental agencies to join as a participating agency upon a two-thirds vote of the Board of Trustees of VECC and has recently voted by a two-thirds vote to allow the Unified Fire Authority and the Unified Police Department of Greater Salt Lake to become a member agencies of VECC. It is necessary and convenient to amend the Interlocal Cooperative Agreement which created VECC to include the new agencies as member agencies and to make other technical and substantive changes to the

agreement to facilitate the operation of VECC with the new members. The Board of Trustees of VECC has approved and recommended for adoption by the member entities of VECC a proposed Amended and Restated Interlocal Cooperation Agreement. He said that having the Unified Fire Authority and the Unified Police Department of Greater Salt Lake as member agencies within VECC will promote efficiency of VECC.

8:59:04 PM Council Member Roy Tingey **MOVED to approve Resolution No. 13-52 – Authorizing the adoption of an amended and restated Interlocal Agreement adding new member agencies to the Salt Lake Valley Emergency Communications Center (VECC).** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

## **6. ELECTED OFFICIAL REPORTS**

**Mayor Bill Applegarth** – No report.

**Council Member Brent Johnson** – 9:00:20 PM reported on an issue at Burt Brothers Tires wherein their occupancy permit was based on items that needed to be cleaned up. He said that planter boxes had turned into tire boxes and asked what could be done. In response Ryan Carter, City Attorney said the issue would be resolved and if there is not a material change to the plan, it will not need to come back to the Council. He then reported on a Grand Opening he attended and then thanked Ryan the change of culture into a safe culture.

**Council Member Al Leavitt** – 9:07:50 PM asked about the status of 1300 West and 1830 West road projects.

**Council Member Sheldon Stewart** – 9:09:04 PM requested that each Council Member be notified when there is a Planning Commission issue in their district. He also mentioned a Boy Scout that is interested in assisting with tree improvements in the median at Monarch Meadows. He thanked Staff for their responses to issues he reports.

**Council Member Tracy Thaxton** – 9:19:30 PM No report.

**Council Member Roy Tingey** – 9:12:20 PM reported that UFA and UPD as members of VECC will have pro rata share voting on the Trustees Board and that issue will be coming before the Council for discussion. Mr. Tingey also reported on West Nile Virus positive effects

## **7. UPCOMING MEETINGS**

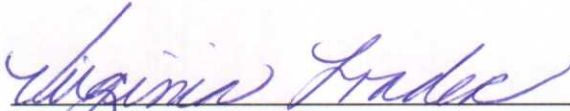
Mayor Applegarth reviewed the following upcoming meetings:

1. November 5, 2013 – No Meeting Scheduled
2. November 19, 2013 – Regular City Council Meeting – 6:30 p.m.
3. December 3, 2013 – Regular City Council Meeting – 6:30 p.m.
4. December 17, 2013 – No Meeting Scheduled



## 8. ADJOURN

Council Member Sheldon Stewart **MOVED to adjourn**. Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a vote. The vote was as follows: Council Member Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.** The City Council Meeting adjourned at 9:20 p.m.



Virginia Loader, MMC  
Recorder

Approved: CC 11-19-13